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Atty. Dkt. No. 047711-0288

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rajiv Shah et al.

Title: METHOD FOR FORMULATING AND
IMMOBILIZING A MATRIX PROTEIN AND A
MATRIX PROTEIN FOR USE IN A SENSOR

Appl. No.: 10/033,723

Filing Date: 12/27/2001

Examiner: David M. Naff

Art Unit: 1651

<p>CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p><u>Christine Flores</u> (Printed Name)</p> <p><u>C. Flores</u> (Signature)</p> <p><u>4/13/05</u> (Date of Deposit)</p>
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AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[] Assertion of Small Entity status is enclosed.

[X] The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	17	-	40	=	0	x	\$50.00	=	\$0.00
Independent Claims:	1	-	3	=	0	x	\$200.00	=	\$0.00

First presentation of any Multiple Dependent Claims:	+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL				= \$0.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

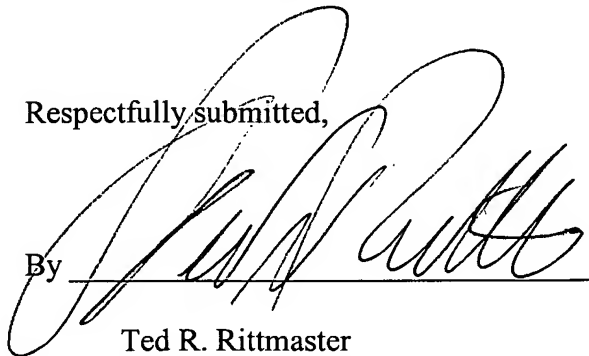
- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such

extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to
Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address
indicated below.

Respectfully submitted,

By

A large, stylized handwritten signature in black ink, appearing to read 'Ted R. Rittmaster', is written over a horizontal line.

Ted R. Rittmaster
Attorney for Applicant
Registration No. 32,933

Date April 13, 2005

FOLEY & LARDNER LLP
Customer Number: 23392
Telephone: (310) 975-7963
Facsimile: (310) 557-8475



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RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the restriction requirement set forth in the Office Action dated March 31, 2005.

In that Office Action, the Examiner required restriction between Claims 28, 30, 32-45 and 67 (Group I), drawn to a sensor, classified in class 435, subclass 287.1, and Claims 46-66, 68 and 69 (Group II), drawn to a solidified protein and an active protein, classified in class 435, subclass 177, drawn to a method for producing the product.

In response, applicant hereby provisionally elects Group I, Claims 28, 30, 32-45 and 67, drawn to a sensor, classified in class 435, subclass 287.1., for examination, with traverse. Applicant reserves the right to file a divisional application to seek patent protection for the subject matter of any non-elected claims.

If any additional information is needed for responding to the restriction requirement or any other aspect of the Office Action dated February 15, 2005, the Examiner is requested to contact the undersigned attorney at the Los Angeles telephone number (310) 975-7963.

Respectfully submitted,

Date: April 12, 2005

FOLEY & LARDNER LLP

Customer Number: 23392

Telephone: (310) 975-7963

Facsimile: (310) 557-8475

By: 

Ted R. Rittmaster

Attorney for Applicant

Registration No. 32,933